

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF PUERTO RICO**

IN RE	*	
	*	CASE NO. 10-07136 ESL
NIURKA LLIAM GONZALEZ HERNANDEZ	*	
	*	CHAPTER 13
<u>DEBTOR</u>	*	

**DEBTOR'S MOTION REQUESTING ORDER
RE: AUTHORIZATION TO USE FUNDS FROM TAX REFUND**

TO THE HONORABLE COURT:

NOW COMES, **NIURKA LLIAM GONZALEZ HERNANDEZ**, debtor, through the undersigned attorney, and very respectfully states and prays as follows:

1. This Court has ruled that a "tax refund becomes income when received and in the amount received. The amount must be paid into the plan shortly after receipt." *Opinion and Order*, dated June 22, 2009, *In re Figueroa Padilla*, case no. 07-07495.

2. The debtor's confirmed Plan dated September 20, 2010, provides that debtor's tax refunds will be paid into the Plan. See docket no. 11 and 15.

3. The debtor has received her 2010 tax refund in the sum of \$817.00. Attached is copy of the check as received from the Treasury Department of Puerto Rico, dated March 25, 2011.

4. The debtor respectfully submits to the Court that she needs to use these funds to pay for: debtor's car repair. Attached is copy of car repair estimate.

5. The debtor needs to use the funds from the 2010 "tax refund" to pay for this reasonable expense. The debtor is living within a very "tight" budget which barely covers her daily expenses for a family of three (3).

6. Based on the abovestated, the debtor respectfully requests this Court to Order the authorization of the use of these funds to allow the debtor to pay for this expense with her "tax refund".

WHEREFORE, debtor, through the undersigned attorney respectfully requests that this Honorable Court grant the foregoing motion and allow the use of the funds from the 2010 tax refund by the debtor to pay for the above stated expense.

NOTICE: Within fourteen (14) days after service as evidenced by the certification, and an additional three (3) days pursuant to Fed. R. Bank. P. 9006 (f) if you were served by mail, any party against whom this paper has been served, or any other party to the action that objects to the relief sought herein shall serve and file an objection or other appropriate response to this paper with the Clerk's office of the U.S. Bankruptcy Court for the District of Puerto Rico. If no objection or other response is filed within the time allowed herein, the paper will be deemed unopposed and may be granted unless: (i) the requested relief is forbidden by law; (ii) the requested relief is against public policy; or (iii) in the opinion of the Court, the interest of justice requires otherwise.

I CERTIFY that on this same date a copy of this motion was filed with the Clerk of the Court using the CM/ECF system which will send notice of same to the Chapter 13 Trustee, Jose Ramon Carrion Morales, Esq.; I also certify that a copy of this motion was sent via US Mail to Niurka L Gonzalez Hernandez, Estancias del Bosque 854 Robles Street Cidra PR 00739.

RESPECTFULLY SUBMITTED. In San Juan, Puerto Rico, this 4th day of April, 2011.

/s/ Roberto Figueroa Carrasquillo
ROBERTO FIGUEROA CARRASQUILLO
USDC #203614
ATTORNEY FOR PETITIONERS
PO BOX 193677 SAN JUAN PR 00919-3677
TEL NO 787-744-7699 FAX 787-746-5294
Email: rfigueroa@prtc.net

FECHA	NUMERO DE COMPROBANTE	DESCRIPCION/CONTRATO	FACTURA/OPE	IMPORTE DEL COMPROBANTE
25/03/11	000041	REINT 2010 582498795	----	\$*****817.00

	DIA	MES	AÑO
15608750	25	03	11
NUMERO DE CHEQUE	FECHA EMISION		

ESTADO LIBRE ASOCIADO DE PUERTO RICO

RETENGA ESTE TALON
PARA SUS RECORDS.

 Ver al dorso para detalles de los mecanismos de seguridad / See reverse side for complete security features.

Modelo SC 784.3
31-ENERO-2006



REINT
2010

DIA	MES	AÑO
25	03	11
FECHA EMISION		

DIA	MES	AÑO
25	09	11
VENCE EN		

15608750
NUMERO DE CHEQUE

OCHOCIENTOS DIECISIETE DOLARES CON NO/100

IMPORTE
\$*****817.00

NIURKA L GONZALEZ HERNANDEZ



582498795

SECRETARIO DE HACIENDA

156087504 021502118 32504013

(181)153-1485

Ship to:

Bill To:

ATTN:

ATTN:

Reference #:	17071	#	03:17 pm	03/08/11	Page #	1
SKU #	DESCRIPTION	QTY	PRICE/UNIT	TOTAL		
06110-PLC-010	GASKET KIT, CYL HD	1.00	190.00	190.00		
91212-PLM-A01	OIL SEAL (38X50X7)	1.00	5.00	5.00		
91308-PK1-003	O-RING (26.2X2.4)	1.00	2.83	2.83		
11251-P2A-014	GASKET, OIL PAN	1.00	40.00	40.00		
15400-PLM-A01	FILTER, OIL	1.00	8.00	8.00		
08798-9015	OIL, MOTOR (10W30)	5.00	5.00	25.00		
	TRABAJO MAHINE	1.00	110.00	110.00		
LABOR	LABOR 30 DIAS DE GARANTIA	1.00	750.00	750.00		

IVU 62.20

Type Of Payment:

Note:

Sub-Total:	\$1,130.83
TAX :	\$79.16
Amount Charged:	0.00
TOTAL :	\$1,209.99
Deposit Amount :	0.00
Balance Due :	1,209.99